

1. SPECIALLY FORMULATED TO HAVE LESS THAN 1 GRAM OF PROTEIN PER SERVING; AND

2. INTENDED TO BE USED UNDER THE DIRECTION OF A PHYSICIAN FOR THE DIETARY TREATMENT OF AN INHERITED METABOLIC DISEASE.

(II) "LOW PROTEIN MODIFIED FOOD PRODUCT" DOES NOT INCLUDE A NATURAL FOOD THAT IS NATURALLY LOW IN PROTEIN.

(4) "MEDICAL FOOD" MEANS A FOOD THAT IS:

(I) INTENDED FOR THE DIETARY TREATMENT OF A DISEASE OR CONDITION FOR WHICH NUTRITIONAL REQUIREMENTS ARE ESTABLISHED BY MEDICAL EVALUATION; AND

(II) FORMULATED TO BE CONSUMED OR ADMINISTERED ENTERALLY UNDER THE DIRECTION OF A PHYSICIAN.

~~(A)~~ (B) THE PROVISIONS OF THIS SECTION APPLY TO A HOSPITAL OR MAJOR MEDICAL INSURANCE POLICY THAT:

(1) IS WRITTEN ON AN EXPENSE INCURRED BASIS;

(2) PROVIDES COVERAGE FOR A FAMILY MEMBER OF THE INSURED;
AND

(3) IS DELIVERED OR ISSUED FOR DELIVERY IN THE STATE.

~~(B)~~ (C) A HOSPITAL OR MAJOR MEDICAL INSURANCE POLICY SHALL INCLUDE UNDER THE FAMILY MEMBER COVERAGE, COVERAGE FOR NUTRITIONAL FOOD SUPPLEMENTS OR FORMULAS MEDICAL FOODS AND LOW PROTEIN MODIFIED FOOD PRODUCTS FOR THE TREATMENT OF PHENYLKETONURIA (PKU) THAT INHERITED METABOLIC DISEASES IF THE MEDICAL FOODS OR LOW PROTEIN MODIFIED FOOD PRODUCTS ARE:

~~(1)~~ EQUIVALENT TO PRESCRIPTION DRUGS;

~~(2)~~ (1) PRESCRIBED AS MEDICALLY NECESSARY FOR THE THERAPEUTIC TREATMENT OF PHENYLKETONURIA INHERITED METABOLIC DISEASES; AND

~~(3)~~ (2) ADMINISTERED UNDER THE DIRECTION OF A PHYSICIAN.

477PP.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "INHERITED METABOLIC DISEASE" MEANS A DISEASE CAUSED BY AN INHERITED ABNORMALITY OF BODY CHEMISTRY.

(II) "INHERITED METABOLIC DISEASE" INCLUDES A DISEASE FOR WHICH THE STATE SCREENS NEWBORN BABIES.